



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 70578
23 May 2013

MuckRock News
ATTN: Mr. Michael Morisy
DEPT MR 5561
PO Box 55819
Boston, MA 02205-5819

Dear Mr. Morisy:

We are in receipt of your Freedom of Information Act (FOIA) request submitted via fax on 6 May 2013, for "a copy of all responses sent to Congressional committees between Jan. 1, 2008 and the date that this request is processed." Your request was received in the NSA/CSS FOIA office on 6 May 2013, and has been assigned Case Number 70578.

Two requirements must be met in order for a FOIA request to be proper: (1) the request must "reasonably" describe the records sought; and (2) it must be made in accordance with published rules stating the time, place, fees (if any), and procedures to be followed. Your request does not satisfy the first requirement because agency employees familiar with the subject matter of this request cannot locate responsive records without an unreasonable amount of effort. The rationale for this rule is that FOIA was not intended to reduce Government agencies to full-time investigators on behalf of requesters.

A representative from the NSA/CSS FOIA office contacted you via email on 6 May 2013 in an attempt to narrow and clarify this request. In this email, you were advised that the topic of your original request is overly broad, unreasonably burdensome, and not specific enough to allow a reasonable search. Department of Defense (DoD) Regulation 5400.7-R states that the requester must provide a description of the desired record so that the Government is able to locate the record with a reasonable amount of effort. A copy of the email is provided for your reference.

Our initial and subsequent attempt to initiate the search for responsive records has revealed that the volume of material that must be searched to locate records responsive to your request is extensive. We have consulted at length with the appropriate NSA/CSS organization which has advised that responses to Congressional committees or subcommittees are not stored in such a manner that a reasonable search can be executed unless the request identifies a topic of interest. The NSA/CSS interacts with various members of Congress on a daily basis in a variety of ways. Records are not sorted or stored by type of communication (i.e., letter, memo, email, etc.), nor by who the letter was addressed to. Therefore, we have no way to effectively search for responses to

Blacker, Cindy S

From: foiafsc, foiafsc
Sent: Monday, May 06, 2013 1:20 PM
To: '5561-99933494@requests.muckrock.com'
Cc: foiafsc, foiafsc

Mr. Morisy,

We are in receipt of your Freedom of Information Act (FOIA) request submitted via Fax on 3 May 2013 for "all responses sent to Congressional committees between Jan 1, 2008 and the date that this request is processed." Your request was accepted in the NSA/CSS FOIA Office 6 May 2013. Your case has been assigned Case Number 70578, but is pending additional processing.

We are uncertain of the specific records you seek. Searching for documents responsive to very broad terms, such as "response to all congressional committees" over the past 5 years and would require an elaborate search, as it is overly broad and unreasonably burdensome. Additionally, search efforts could most likely be quite costly for you. We ask that you narrow or redefine your request (specific Congressional committee, or committee member, precise committee topic, etc) to curtail complex search and or review times, and to enable us to process your case as efficiently as possible.

DoD Regulation 5400.7-R also states that the requester must provide a description of the desired record so that the Government is able to locate the record with a reasonable amount of effort. More detail is required for us to determine the appropriate files to search to find the material you request. In accordance with DoD regulation, processing of your request is being **held in abeyance** pending a response from you within 30 days of this email. If we have not heard from you within 30 days, we will assume you are no longer interested in pursuing this request, and Case Number 70578 will be administratively closed (**on or about 7 June 2013**).

Cindy Blacker
NSA/CSS FOIA Officer, POC
(301)688-6527